



1. Submittal review conference  
Date \_\_\_\_\_ C.C. \_\_\_\_\_

2. Legal Department:  
Date \_\_\_\_\_ Atty \_\_\_\_\_

3. Planning:  
Date \_\_\_\_\_ Plnr \_\_\_\_\_

4. Legal Department:  
Date \_\_\_\_\_ Atty \_\_\_\_\_

Date Received \_\_\_\_\_

File Number: SE-202 - \_\_\_\_\_

Adopted: \_\_\_\_\_

**Petitioner:** \_\_\_\_\_

Address: \_\_\_\_\_

Telephone #: \_\_\_\_\_ Fax #: \_\_\_\_\_ E-mail: \_\_\_\_\_

**Agent for Petitioner:** \_\_\_\_\_

Address: \_\_\_\_\_

Telephone #: \_\_\_\_\_ Fax #: \_\_\_\_\_ E-mail: \_\_\_\_\_

**Owner of Property:** \_\_\_\_\_

Address: \_\_\_\_\_

Telephone #: \_\_\_\_\_ Fax #: \_\_\_\_\_ E-mail: \_\_\_\_\_

Address/Location of Subject Property \_\_\_\_\_

Legal Description of Property Involved \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Existing Zoning \_\_\_\_\_

Total Acreage/Square Footage of Subject Property \_\_\_\_\_

Current Use of Land \_\_\_\_\_

Code Section \_\_\_\_\_

Proposed Conditional Use and Summary of Facts \_\_\_\_\_

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\_\_\_\_\_  
Signature of Petitioner

\_\_\_\_\_  
Signature of Owner

\_\_\_\_\_  
Print or type name of person signing above

\_\_\_\_\_  
Print or type name of person signing above

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date

**NOTE: IF THE PETITIONER WISHES TO BE REPRESENTED BY AN AGENT, THE POWER OF ATTORNEY ON THE FOLLOWING PAGE MUST BE PROPERLY EXECUTED. IF DRAWINGS PREPARED BY AN ARCHITECTURAL, ENGINEERING OR OTHER FIRM ARE SUBMITTED, THE FIRM MUST EXECUTE THE ATTACHED PERMISSION TO REPRODUCE.**

**AFFIDAVIT**

I, \_\_\_\_\_ certify that I am the owner or authorized representative of the property described herein, and that all answers to the questions in this application and any sketches, data or other supplementary matter attached to and made a part of this application, are honest and true to the best of my knowledge and belief.

**KNOW ALL MEN THAT I, \_\_\_\_\_, do hereby constitute and appoint \_\_\_\_\_ my true and lawful attorney, to execute the foregoing instrument in my name, place and stead this \_\_\_\_ day of \_\_\_\_\_, .**

\_\_\_\_\_  
Signature of owner or authorized agent Date: \_\_\_\_\_

\_\_\_\_\_  
Print or type name of person signing above

\_\_\_\_\_  
Name of owner/agent entity if a corporation, L.L.C., partnership, or trust

\_\_\_\_\_  
Representative capacity of person signing Affidavit:  
President of Vice President of Corporation  
Managing Member of L.L.C.  
General Partner  
Trustee

STATE OF FLORIDA     )  
  )  
COUNTY OF \_\_\_\_\_)

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, by \_\_\_\_\_ who is personally known to me or who has produced \_\_\_\_\_ as identification and who did not take an oath.

\_\_\_\_\_  
Notary Public  
\_\_\_\_\_  
Print or type name  
My Commission Expires: \_\_\_\_\_

KNOW ALL MEN THAT I, \_\_\_\_\_, \_\_\_\_\_ (Title), of the firm of \_\_\_\_\_, do hereby grant the City of LaBelle permission to reproduce all or a portion of all plans, drawings, etc., submitted in connection with the foregoing petition.

\_\_\_\_\_  
Signature  
Title: \_\_\_\_\_  
Date: \_\_\_\_\_

STATE OF FLORIDA     )  
  )  
COUNTY OF \_\_\_\_\_ )

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, by \_\_\_\_\_ who is personally known to me or who has produced \_\_\_\_\_ as identification and who did not take an oath.

\_\_\_\_\_  
Notary Public  
\_\_\_\_\_  
Print or type name  
My Commission Expires: \_\_\_\_\_

**CONFIRMATION OF OWNERSHIP BY OWNER; AND  
AUTHORIZATION FOR AGENT OR PETITIONER (WHEN A DIFFERENT ENTITY)**

The undersigned to hereby swear or affirm that they are the fee simple title holders and owners of the record of property commonly known as \_\_\_\_\_  
And legally described in Exhibit A attached hereto.

The property described herein is the subject of a Special Exception/Conditional use application. We hereby designate \_\_\_\_\_ as the legal representative of the property in the course of seeking approval of this application. This representative will remain the only entity to authorize development activity until such time as anew or amended authorization is delivered to the City.

\_\_\_\_\_  
Owner Signature

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Name of owner entity if a corporation, L.L.C., partnership, trust

\_\_\_\_\_  
Representative capacity of person signing: President or Vice President of Corporation, Managing Member of L.L.C., General Partner, Trustee

\_\_\_\_\_  
Address of Owner

**STATE OF FLORIDA )**  
COUNTY OF \_\_\_\_\_)

Sworn to (or affirmed) and subscribed before me this \_\_\_\_\_ day of \_\_\_\_\_, 200\_\_, by \_\_\_\_\_  
( \_\_\_\_\_ ) capacity if applicable, who is personally known to me or produced \_\_\_\_\_ as identification.

\_\_\_\_\_  
Notary Public  
Notary Public – State of Florida  
My commission expires \_\_\_\_\_

\_\_\_\_\_  
Name typed, stamped or printed

**INSTRUCTIONS FOR FILING A CONDITIONAL USE  
PETITION**

**PROCEDURE:**

- Special Exception/Conditional use applications may be obtained at the office of the Building Department Permit Technician. An application must be completed and submitted together with the required fee and supportive materials.  
**Applicants are required to arrange a submittal-review conference to take place at the time of submittal. Applicants may arrange an appointment by calling 675- 6355.** Early submittal and the submittal-review conference will help ensure consideration of your petition by the City Commission.
- After reviewing the petition for completeness and discussing it with other City staff, the application will be forwarded to the City attorney to determine if the application is legally sufficient. The City Clerk will give due public notice that a public hearing will be held by the City Commission to consider the request. Owners of property within 500 feet of the site will be notified of the request and invited to comment.
- Approximately one week before the public hearing, a sign will be placed on the subject property notifying the general public of the hearing.
- The petitioner or his authorized representative shall appear at the City Commission meeting. The petitioner should be prepared to address the guidelines and standards listed for the special exception/conditional use. After considering the recommendation of the staff and comments by the petitioner and the public, the City Commission will approve, deny, or approve the request with conditions.
- Special exception/conditional use applications approved by the City Commission will be done by resolution.

**REQUIRED SUPPORTIVE MATERIALS:**

- A. A check for the application fee made payable to the City of LaBelle (see fee schedule).
- B. 1- DIGITAL SET of the following:
  - 1. Completed application
  - 2. Proof of ownership
  - 3. A site plan, and any other necessary supportive materials. This plan must be at a suitable scale and be no smaller in size than 8-1/2" x 11". The architectural, engineering or other firm preparing the plans **MUST SIGN** permission to reproduce on Page 3 of the application and have his or her signature notarized. The site plan must show all data pertinent to the proposed conditional use, including at least the following:
    - a. Date of drawing
    - b. Scale
    - c. North arrow
    - d. Name of person or firm who drew the plan
    - e. Location of property, property dimensions, abutting rights of way, easements, setbacks, off-street parking, proposed landscaping, existing or proposed structures
    - f. All properties immediately adjacent to and across an alley or street: show location of building footprints, access points, other significant features
- C. A residential impact statement petition may also be required.

**\*For example, one petition, one site plan, and one each of other supportive materials should be put together to comprise a complete set.**

**The City of LaBelle reserves the right to refuse to accept an application if incomplete.**

**STANDARDS:**

In their deliberations concerning the granting of a conditional use, the City Commission shall carefully consider the following guidelines and standards:

1. Ingress and egress to the subject property and the proposed structures thereon with particular reference to automotive and pedestrian safety and convenience, traffic generation flow and control, and access in case of fire or catastrophe shall be adequate and not potentially detrimental to existing or anticipated uses in the vicinity and particularly not detrimental to property immediately adjacent to the subject site.
2. Off-street parking and loading areas, where required or requested by the property owner, shall be adequate, well-designed, and relate well, in terms of proximity, access, and the like, to the uses intended to be serviced, with particular attention to the items in (1) above and the smoke, noise, glare, dust, vibrations, fumes, pollution or odor effects related to the vehicular use area or the conditional use and such shall not be detrimental to the adjoining properties in the general area.
3. Refuse and service areas, with particular reference to the items in (1) and (2) above, shall be adequately screened so as not to be visible from adjacent properties or a public right of way and shall be located in such a way as not to be a nuisance, by virtue of smoke, noise, glare, and the like, to adjacent properties.
4. Utilities, whether public or private, shall be adequate and not detrimental with reference to location, availability, adequacy, and compatibility.
5. Screening, buffering or separation or any nuisance or hazardous feature, with reference to type, dimensions and character, shall be fully and clearly represented on the submitted plans and shall be adequate to protect adjacent properties.
6. Proposed signs and exterior lighting shall be considered with reference to glare, traffic safety, and compatibility and harmony with surrounding properties and shall be determined to be adequate, safe, and not detrimental or a nuisance to adjacent properties.
7. A determination shall be made that the proposed development will not hinder development of nearby vacant properties with a permitted use in the subject zone district.
8. The land and/or buildings, which are involved, shall be adequate in terms of size, shape, type of building and the like to ensure compatibility with the proposed conditional use.
9. The proposed development shall be compatible and/or appropriate with adjacent properties and other property in the district and geographic area.